

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**UNITED STATES OF AMERICA,**

**VS.**

**CRIMINAL ACTION NO. 1:09CR082-P-D**

**FELIPE GUERRO-RIVAS,**

**DEFENDANT.**

**ORDER CONTINUING TRIAL**

This matter comes before the court upon Defendant's Motion for Continuance [17]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for July 20, 2009. Defense counsel requests a continuance to afford more time to review and investigate discovery.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(7)(A), the period of delay from July 20, 2009 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

**IT IS THEREFORE ORDERED AND ADJUDGED** that:

- (1) Defendant's Motion for Continuance [17] is **GRANTED**;
- (2) Trial of this matter is continued until Monday, September 21, 2009 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;
- (3) The delay from July 20, 2009 to September 21, 2009 is excluded from Speedy Trial Act

considerations as set out above;

(4) The deadline for filing pretrial motions is August 31, 2009; and

(5) The deadline for submitting a plea agreement is September 8, 2009.

**SO ORDERED** this the 10<sup>th</sup> day of July, A.D., 2009.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE